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UTILITY PATENT APPLICATION TRANSMITTAL

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Box Patent Application
Washington, D.C. 20231

14
Attorney Docket No. 20425.00510
Prior Application Number: 08/725,635
Art Unit: 2765
Examiner: J. Patel
PTO Customer Number: unassigned

Sir:

Transmitted herewith for filing is a utility patent application of

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for: METHOD AND SYSTEM FOR SUPPLYING AUTOMATIC STATUS UPDATES USING
ELECTRONIC MAIL

JC675 U.S. PTO
09/426573
10/25/99

ENCLOSED are the following:

1. Specification, abstract and claims of 11 Pages.
2. 5 sheets of formal informal drawings No drawings.
3. Declaration (original or copy) (unsigned) by the named inventor(s).
4. Preliminary Amendment
5. Information Disclosure Statement
6. Other:

NOTE the following:

7. Applicant is a small entity. Copy of Small Entity Statement (unsigned) enclosed – 50% Filing Fee Reduction (if applicable)
8. The prior application is assigned to ONSALE, Inc.
9. This application is a:
 Continuation Divisional Continuation-in-Part (CIP) of Prior Application
Serial No. 08/725,635
- Filed: October 8, 1996
10. Priority of the following application(s) is (are) claimed under 35 U.S.C. 119:

Serial No.	Date Filed	Country	Certified Copy of Priority Doc. Filed	
			USSN or PCT#	Date

11. An Extension of Time is filed concurrently herewith for the parent application.
12. Cancel claims _____ prior to calculation of the filing fee.

FILING FEE: calculated below (after accounting for any preliminary amendment or claims cancellations if noted above):

<input checked="" type="checkbox"/>	Total Claims	10	Total Claims Subject to Fees: 0	\$0
<input checked="" type="checkbox"/>	Independent Claims	2	Total Claims Subject to Fees: 0	\$0
<input type="checkbox"/>	Multiple Dependent Claims			\$
<input checked="" type="checkbox"/>	Basic Filing Fee			\$760.00
<input type="checkbox"/>	Extension Fees			\$
	Sub-Total			\$760.00
<input checked="" type="checkbox"/>	Less Small Entity Fee Reduction			\$380.00
<input type="checkbox"/>	Assignment Recordal Fees			\$
	Total Fees			\$380.00

- Check(s) no. 457733 in the amount of \$380.00 is enclosed (must at least cover the basic fee). If no check or an insufficient check is enclosed and a fee is due herewith, the Commissioner is authorized to charge any fee or additional fee due in connection herewith to Deposit Account No. 03-3821, referencing Attorney Docket No. 20425.00510. A duplicate of this sheet is enclosed.
- The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or 1.17 to Deposit Account No. 03-3821, referencing Attorney Docket No. 204251.00510. A duplicate copy of this sheet is enclosed.

Date: October 25, 1999

Respectfully submitted,



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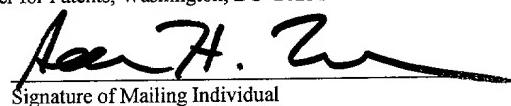
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Adam H. Tachner
Name of Mailing Individual



Signature of Mailing Individual

Applicant or Patentee: Alan S. Fisher et al.

Serial or Patent No.: 08/725,635

Filed or Issued: October 9, 1996

For: METHOD FOR SUPPLYING AUTOMATIC STATUS UPDATES USING ELECTRONIC MAIL

Attorney Docket No.:
20425.00501 - PATENT

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR SS 1.9(c) and 1.27(c)) -- SMALL BUSINESS CONCERN**

I hereby declare that I am

- the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

FULL NAME ONSALE, Inc.

ADDRESS 1953 Landings Drive Mountain View, California 94043

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR § 121.12, and reproduced in 37 CFR § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, described in

- the specification filed herewith.
 the application identified above.
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d), or a nonprofit organization under 37 CFR § 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- no such person, concern or organization exists.
 each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR § 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR § 1.28(b))

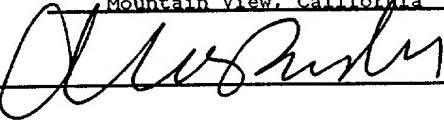
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Alan S. Fisher

TITLE OF PERSON OTHER THAN OWNER Vice President

ADDRESS OF PERSON SIGNING 1953 Landings Drive

Mountain View, California 94043

SIGNATURE 

DATE Nov 7, 1996

4059339

METHOD AND SYSTEM FOR SUPPLYING AUTOMATIC
STATUS UPDATES USING ELECTRONIC MAIL

Alan S. Fisher

Samuel Jerrold Kaplan

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CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation of U.S. Patent Application Serial No. 08/725,635, filed October 8, 1996, which is a continuation of U.S. Patent Application Serial No. 08/695,095 filed August 8, 1996, both of which are incorporated herein by reference.

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates generally to electronic commerce and more particularly to updating customers as to the status of their orders and order shipments.

2. Description of the Related Art

In the mail order industry, it is common practice to notify customers by mail when their orders are backlogged or their shipments will be delayed for some reason. The advent of wide area electronic networks like the Internet has made it possible for customers to query the status of their orders and shipments by directly accessing the merchants' and shippers' information systems. For example, both Federal Express® (FedEx®) and United Parcel Service (UPS®) have world wide web sites on the Internet where customers can track the shipping status of their packages by simply inputting the package's tracking number to a computer form on a web page.

There is an advantage however, to notifying customers by mail when their shipments will be delayed, because the customer is not required to take any action to receive this notification — that is, the customer does not have to proactively access the Internet or other network, go to the shipper's world wide web site, and

5 obtain and input a parcel tracking number in order to check on the shipping status.

In U.S. Patent No. 5,428,778 to Brookes, a keyword based profile is used to match information coming into a system with the users' interests. In Brookes, the user is alerted to the presence of the information in the database (perhaps because there is a delivery fee associated with the information), but the information is not

10 actually delivered to the user.

Also in the related art are several Internet-based electronic mail systems that deliver information to users daily via E-mail based on personal profiles. There are, for example, several stock quotation services that electronically mail a list of a user's personal favorite stock prices each day. Unlike Brookes, such systems do

15 deliver the information directly to the user. However, the user is required to submit an interest profile to the system in order to receive feedback.

There is a need in the art, therefore, for a system and method for automatically notifying a party of the status of a delivery without requiring

20 submission of a status request or special profile information from the party.

SUMMARY OF THE INVENTION

The present invention overcomes the disadvantages of the background art by providing a method and system for automatically providing customers with their

25 order status via electronic mail over a computer network without the aid of a human customer service representative and without the need for user profile information.

To address the shortcomings of the background art, the present invention provides, in a computer network enabling communication between a plurality of computers, a method and system for processing and transmitting update information, implemented as a program on a first computer within said network,

- 5 the system comprising record creation means for creating a record in response to an order submitted to the first computer by a first party, status information retrieval means for retrieving status information relevant to the order, record update means for updating the record in response to the retrieved status information, message generation means for generating an electronic mail status
- 10 message reflective of the updated record, and message transmission means for transmitting the electronic mail status message to the first party across the network.

For example, when a customer places an order with a merchant, the customer provides the merchant with an electronic mail address. Then, the merchant ships the order via a common carrier such as FedEx, UPS or the postal service. The system of the present invention periodically interrogates the carrier's information system via a computer network to check the transit status of the order. When the transit status, location, or other relevant information changes, the system automatically composes and transmits an electronic mail message to the customer, informing the customer of the status of the shipment. The system may send messages notifying the customer of such common events as (1) when the order is initially sent to the shipper, (2) when the shipment leaves the shipper's distribution center, (3) the current or approximate physical location of the shipment once the shipment is in transit (e.g., headed westbound on Interstate 70 between St. Louis and Kansas City), (4) when the shipment reaches a distribution terminal for transfer to another truck or form of carriage, and (5) when the shipment is received at the customer's location. Notifying business customers that the shipment has been received at a site is especially important because it often takes one to two days for a company's internal mail system to deliver a package to the

customer's desk once it has been received at the site's receiving dock, front office or mail room.

The invention further provides, in a computer network enabling communication between a plurality of computers, an update processing and

5 transmission system, the system comprising: record creation means, for creating a record in response to a commerce-related event, status information retrieval means for retrieving status information about said commerce-related event, message generation means for generating a status message reflective of said status information, and message forwarding means for forwarding said status message to

10 a point where it may be accessed by an interested party. The status information may relate to shipment of an item specified within said record. Also, the status information retrieved by said status information retrieval means may be contained on a second computer physically remote from a first computer on which said record is stored and accessible via said network. Furthermore, the record may be stored on a record database within a first computer. Moreover, the system may further comprise a status database for separately storing status information about the record. Finally, the invention further comprises a method for accomplishing the above-listed functions.

15

20 The primary advantage of this system is that it results in higher customer loyalty because customers are kept well informed of the status of their orders or shipments without taking any additional action beyond providing an electronic mail address to the merchant or shipper. Moreover, since the cost of electronic mail transmissions is extremely low, the system and method lower costs for merchants

25 or shippers to provide status information to their customers.

BRIEF DESCRIPTION OF THE DRAWINGS

The aforementioned advantages of the invention, as well as additional advantages thereof, will be more fully understood as a result of a detailed description of the preferred embodiment when taken in conjunction with the accompanying drawings in which:

- 5 FIG. 1 illustrates a preferred computer environment for implementing the system and method of the present invention.

FIG. 2 is block diagram of components illustrating a preferred embodiment of the present invention.

FIG. 3 is a flowchart illustrating the status requester and its method of operation.

10 FIG. 4 is a flowchart illustrating the status receiver and its method of operation.

FIG. 5 is a flowchart illustrating the electronic mail messenger and its method or operation.

DETAILED DESCRIPTION OF A PREFERRED EMBODIMENT

15 The present invention is preferably implemented as a computer program 248 running on a central server host computer shown in FIG. 1, attached to a wide area network 275 accessible by many potential customers through remote terminals 210 using keyboard 240, pointing device 260 and monitor 280. A preferred network for implementing the present invention is the Internet which is
20 accessible by a significant percentage of the world population, although the network may also be a local area or limited area accessible network.

Information about the customers and their respective orders is maintained in a status database 16 such as the one shown in FIG. 2. Status database 16 may be maintained on server 250 shown in FIG. 1. Individual customer orders may be
25 placed in this database either by order entry personnel 300 or electronically by

order entry systems also attached to wide area network 275 of FIG. 1. Status information in status database 16 may be updated manually by order entry personnel or electronically by other means such as status receiver 14 shown in FIG. 2.

5 Periodically, status register 13 sends a status request to another host computer on wide area network 275, such as a common carrier shipping service like UPS or FedEx. Status information 11 is returned and received by status receiver 14 which places the new status information in status database 16. When status receiver 14 updates the status in status database 16, it sets a flag on the
10 particular database record indicating a change in status.

Periodically, electronic mail messenger 15 checks status database 16, to see if the status of any record has changed, by examining the records' status flags. If a record has been flagged, then electronic mail messenger 15 composes an electronic mail message 12 based on the new status information in status database
15 16. This electronic mail message 12 is transmitted to the customer over the wide area network 275.

FIG. 3 illustrates the operation of status requester 13. In a preferred embodiment, the status requester is continually running a program that periodically requests status updates from other host computers on wide area network 275.
20 After waiting 21 for a designated time, which for a shipping status update is preferably every six to twenty-four hours, status database 16 is checked 22 to see if there are more status records. If so, then a status record is selected 23 and a status request is composed 24. This status request is sent 25 to another host computer on wide area network 275. This requesting process continues until each
25 of the status records in status database 16 have been checked 22.

FIG. 4 illustrates the operation of status receiver 14. In the preferred embodiment, the status receiver is a continually running program that periodically

receives status information 11 from another host computer on wide area network 275 based on requests generated by status requester 13. Wide area network 275 is continually checked for new status information 11. If new status information is found available at 31 then the status information is received 32 and the

- 5 corresponding status record is fetched 33 from status database 16. The information is compared with that in the status record to determine 34 if the received information is new. If the received information is new, then the status record is updated 35 in status database 16 and the Updated Status flag is set 36 in the status record.

10 FIG. 5 illustrates the operation of electronic mail messenger 15. In a preferred embodiment, the electronic mail messenger is a continually running program that periodically checks 41 status database 16 to see if any records have an "Updated Status" flag set. If so, the appropriate status record is fetched 42 from status database 16 and an electronic mail message is composed 43 regarding 15 the new status information. This electronic mail message is then preferably sent 44 to the recipient over wide area network 275.

One skilled in the art to which the present invention pertains will recognize that the various components of the system may communicate between themselves in a variety of ways. In a preferred embodiment, status receiver 14 signals 20 electronic mail messenger 15, via an "Updated Status" flag in the appropriate database records, that a new update message should be sent . However, status receiver 14 could directly communicate with electronic mail messenger 15 to send a status update message without setting a signaling flag in status database 16 and awaiting discovery of such a flag by the electronic mail messenger.

25 One skilled in the art to which the present invention pertains will further recognize that components of status requester 13 and status receiver 14 may be combined into a single module that communicates with a remote host computer in

a synchronous fashion. For example, the status requester portion of the combined module could send a status request to the remote host computer and wait for the status information to be received before proceeding to submit the next status request to the remote host computer. This type of synchronous operation is quite

5 common in electronic data interchange applications.

The present invention is preferably implemented as a software program on a host computer such as 250 in FIG. 1 within a network 275 such as the Internet. The program may be loaded onto computer 250 from disk 248 or a similar storage medium

10 A general description of the present invention as well as a preferred embodiment of the present invention has been set forth above. Those skilled in the art to which the present invention pertains will recognize and be able to practice additional variations to the methods and system described within the teachings of this invention. Accordingly, all such modifications and additions are
15 deemed to be within the scope of the invention which is to be limited only by the appended claims.

CLAIMS

What is claimed is:

15. In a computer network enabling communication between a plurality of computers, an update processing and transmission system, said system comprising:

 record creation means, for creating a record in response to a commerce-related event;

 status information retrieval means for retrieving status information about said commerce-related event;

 message generation means for generating a status message reflective of said status information; and

 message forwarding means for forwarding said status message to a point where it may be accessed by an interested party.

16. The system of claim 15, wherein said status information relates to shipment of an item specified within said record.

17. The system of claim 15, wherein status information retrieved by said status information retrieval means is contained on a second computer physically remote from a first computer on which said record is stored and accessible via said network.

18. The system of claim 15, wherein said record is stored on a record database within a first computer.

19. The system of claim 15, further comprising a status database for separately storing status information about said record.

20. In a computer network enabling communication between a plurality of computers, an update processing and transmission method, said method comprising the steps of:

creating a record in response to a commerce-related event;
retrieving status information about said commerce-related event;
generating a status message reflective of said status information; and
forwarding said status message to a point where it may be accessed by an interested party.

21. The method of claim 20, wherein said status information relates to shipment of an item specified within said record.

22. The method of claim 20, wherein status information retrieved is contained on a first computer physically remote from a second computer which stores the record information.

23. The method of claim 20, wherein said record is stored on a record database within a first computer.

24. The method of claim 20, further comprising separately storing status information about said record.

**METHOD AND SYSTEM FOR SUPPLYING AUTOMATIC
STATUS UPDATES USING ELECTRONIC MAIL**

Alan S. Fisher

Samuel Jerrold Kaplan

5 ABSTRACT

A system is disclosed for automatically updating the status of customers' orders and shipments via electronic mail without using a human attendant to create and send the electronic mail messages. Preferably implemented in software, the updating system allows a large set of customers to be periodically updated over a computer or communications network via electronic mail. The system includes a database for maintaining order and shipping status and other relevant information.

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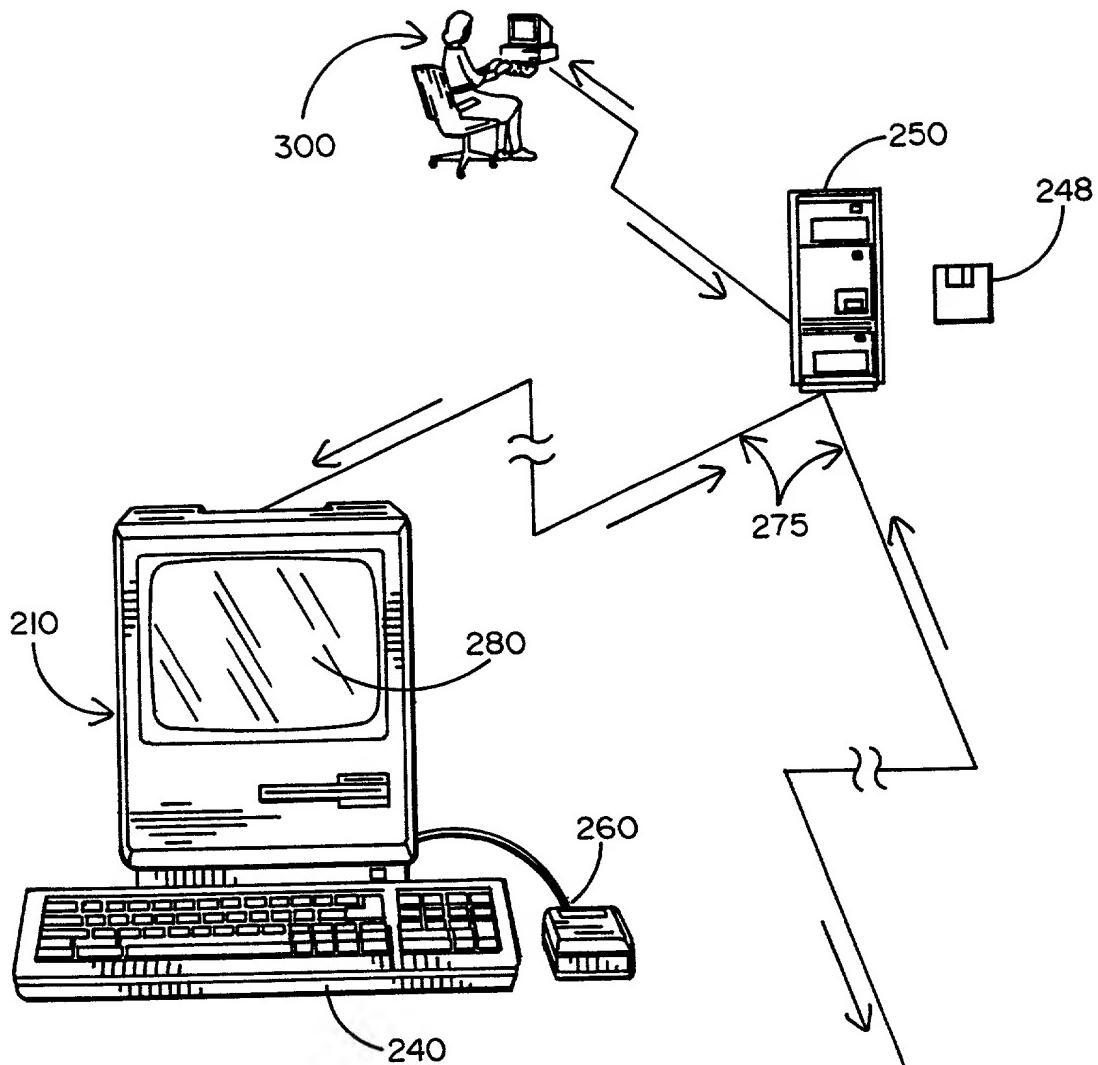
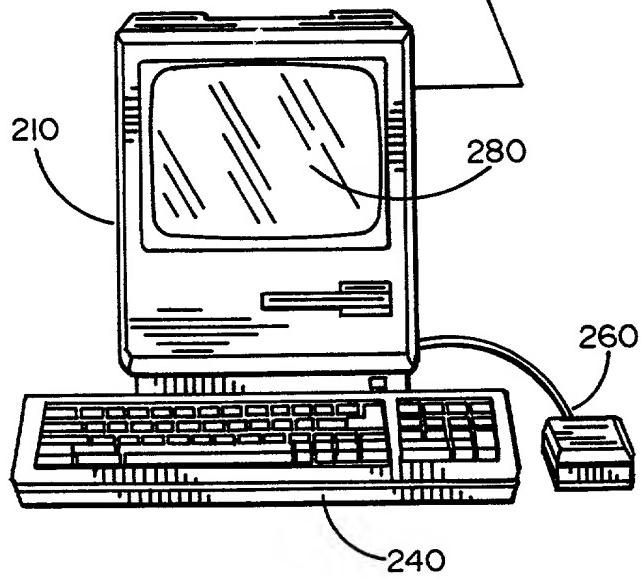


FIG. 1



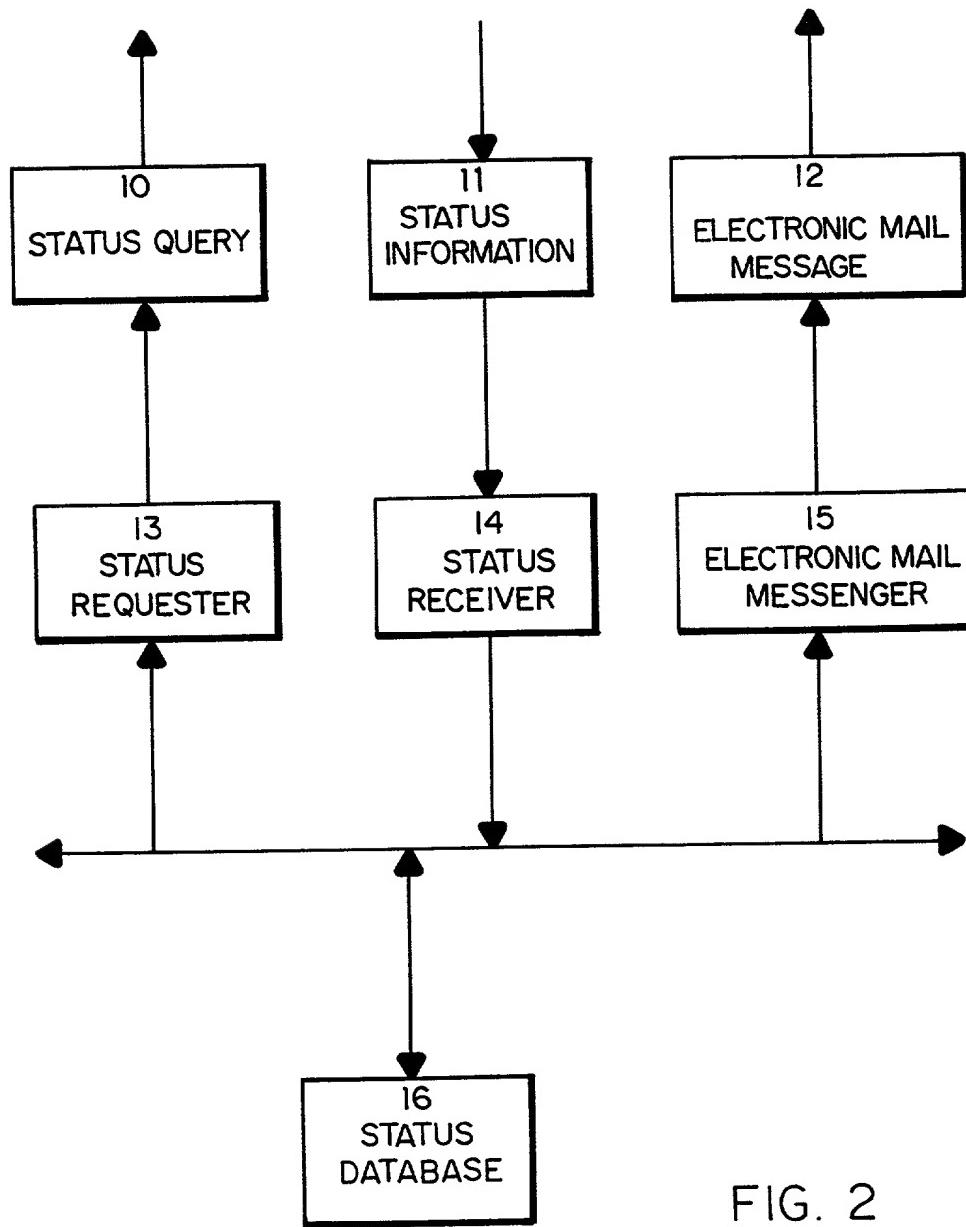


FIG. 2

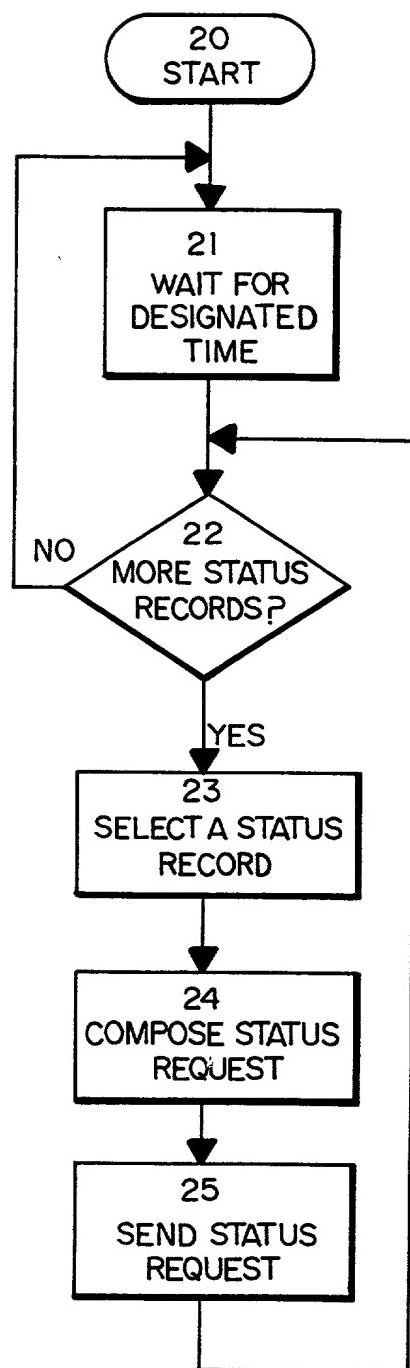


FIG. 3

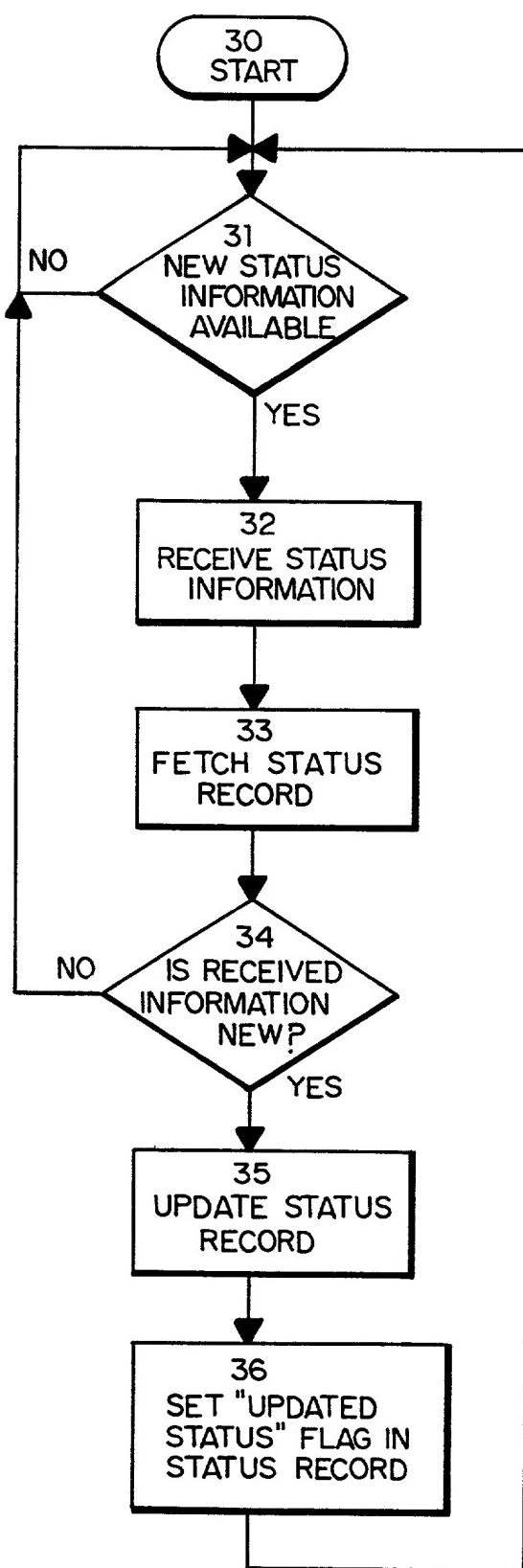


FIG. 4

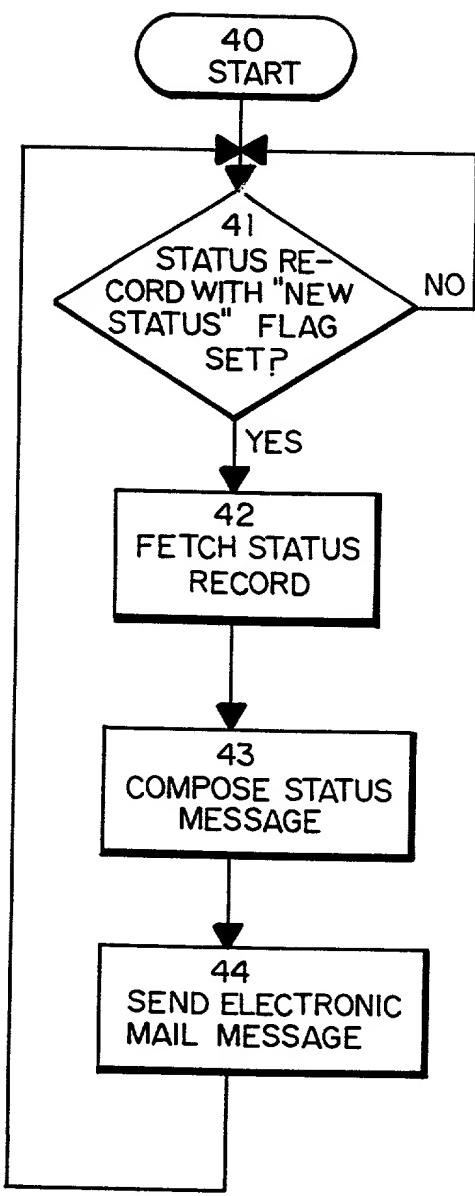


FIG. 5

**COMBINED DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD FOR SUPPLYING AUTOMATIC STATUS UPDATES USING ELECTRONIC MAIL

the specification of which (check one) is attached hereto or was filed on October 9, 1996 as Application Serial No. 08/725,635 and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed			
	<u>Yes</u> <u>No</u>			
Number	Country	Day/Month/Year Filed	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code,

§ 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Ser. No.

Filing Date

Status: Patented, Pending, Abandoned

I HEREBY APPOINT THE FOLLOWING AS MY ATTORNEYS WITH FULL POWER OF SUBSTITUTION TO PROSECUTE THIS APPLICATION AND TRANSACT ALL BUSINESS IN THE PATENT OFFICE CONNECTED THEREWITH: Malcolm B. Wittenberg, Registration No. 27,028, Nathan P. Koenig, Registration No. 38,210 and Adam H. Tachner, Registration No. 40,343.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature Alan S. Fisher

Nov 7, 1996

Date

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11/7/96
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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE